

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,
vs.

TYRONE DEAN WELCH,

Defendant.

CR-13-112-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Amended Findings and Recommendations in this matter on November 25, 2019. (Doc. 49.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations,

however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 25, 2019. (Doc. 45.) The United States accused Armitage of violating his conditions of supervised release by 1) by failing to report for substance abuse testing; 2) by consuming alcohol; 3) by committing another crime; 4) failing to report for substance abuse treatment; and 5) by using methamphetamine. (Doc. 42.)

At the revocation hearing, Welch admitted to the all of the violations. (Doc. 45.) Judge Johnston found that Welch's violations warrant revocation, and recommended that Welch be incarcerated for 5 months, with 28 months of supervised release to follow with the first 60 days of supervised release at an inpatient substance abuse treatment program at Connections Corrections. (Doc. 49 at 4.)

The violations prove serious and warrant revocation of Welch's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Amended Findings and Recommendations (Doc. 49) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Tyrone Dean Welch be incarcerated for a term of 5 months, with 28 months of supervised release to follow

with the first 60 days of supervised release at an inpatient substance abuse treatment program at Connections Corrections.

DATED this 17th day of December, 2019.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with "Brian" on the top line and "Morris" on the bottom line.

Brian Morris
United States District Court Judge